

**HOWISON & ARNOTT, L.L.P.**

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

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CONFIRMATION SENT VIA FIRST CLASS MAIL

YES \_\_\_ NO X \_\_\_NUMBER OF PAGES TO FOLLOW 14**FACSIMILE COVER SHEET**

DATE: February 3, 2005  
TO: Examiner: Douglas Blair (2756)  
COMPANY: U. S. Patent Office  
FAX NUMBER: Centralized Fax: (703) 872-9306  
FROM: Howison & Arnott, L.L.P. (Gregory M. Howison)  
OUR FILE : PHL-24,767  
SERIAL NO.: 09/417,863  
ATTACHED: Trans Form (1); Fee Trans (1); Extension (1); RCE (1); ; Credit Card Form (1); Amendment (8).

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PTO/59/21 (39-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/417,563
	Filing Date	October 13, 1999
	First Named Inventor	Philyaw et al.
	Art Unit	2756
	Examiner Name	Douglas Blair
Total Number of Pages in This Submission	Attorney Docket Number	PHLY-24,767

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney; Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Credit Card Form
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	HOWISON & ARNO, L.L.P.	
Signature		
Printed name	Gregory M. Howison	
Date	2/3/05	Reg. No. 30,848

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Signature		
Typed or printed name	Gregory M. Howison	Date 2/3/05

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PTO/SB/17 (10-04v2)

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**FEE TRANSMITTAL  
for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$): 1,190.00

**Complete if Known**

Application Number	09/417,863
Filing Date	October 13, 1999
First Named Inventor	Philyaw et al.
Examiner Name	Douglas Blair
Art Unit	2756
Attorney Docket No.	PHLY-24,767

**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number: 20-0780/PHLY-24,767

Deposit Account Name: HOWISON &amp; ARNOTT, L.L.P.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	150	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent		-20** =		X			
Multiple Dependent		-3** =		X			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater. For Reissues, see above.

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	2812	2,520	For filing a request for ex parte reexamination	
1804	920*	2804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	2805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	65	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	990	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	795.00
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1480	130	2480	130	Petitions to the Commissioner	
1807	50	2807	50	Processing fee under 37 CFR 1.17(a)	
1806	180	2806	180	Submission of Information Disclosure Stmt.	
8021	40	28021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(e))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	395.00
1802	900	2802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid.

SUBTOTAL (3) (\$): 1,190.00

**SUBMITTED BY**

Name (Print/Type): Gregory M. Howison

Registration No. (Attorney/Agent): 30,646

(Complete if applicable)

Telephone: 972-880-8050

Signature:

Date: 2/3/05

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PHLY-24,767

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jeffry Jovan Philyaw and David Kent Mathews

Serial No.: 09/417,863

Filed: October 13, 1999

Group: 2756

Examiner: Douglas Blair

For: SOFTWARE DOWNLOADING USING A TELEVISION BROADCAST CHANNEL

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(Date of Deposit)

Gregory M. Howison  
(Name of Person Mailing Document)

(Signature)

2/3/05  
(Date of Signature)

**AMENDMENT AFTER FINAL REJECTION**

In response to the Advisory Action dated September 13, 2004, please amend the above-referenced patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims beginning page 2 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.

**AMENDMENT AND RESPONSE**

S/N 09/417,863

Atty. Dkt. No. PHLY-24,767

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